

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

In re:

**Melissa Willette,
Debtor.**

**Chapter 13 Case
07-10593**

Appearances: *Kathleen Walls, Esq.* *Jan Sensenich, Esq.* *Nancy M. Geise, Esq.* *Alan A. Bjerke, Esq.*
Middlebury, VT *White River Jct., VT* *Kolvoord, Overton* *Bauer, Gravel, Nuovo,*
For the Debtor *Chapter 13 Trustee* *& Wilson, P.C.* *Parker & Lang*
Pro Se *Essex Jct., VT* *Burlington, VT*
 For Griswold & Co. *For LTS Homes, Inc.*

ORDER
SUSTAINING IN PART AND OVERRULING IN PART
CREDITORS' OBJECTIONS TO CONFIRMATION

For the reasons set forth in the Memorandum of Decision of even date,

IT IS HEREBY ORDERED that the Creditors' Objections to Confirmation are overruled to the extent that the objections contend that (a) the Debtor had no property interest in her homestead property on the date she filed her chapter 13 petition, (b) the Debtor was not entitled to take a monthly expense deduction for the mortgage obligation on her means test form, and (c) the Debtor had no right to decelerate and reinstate her mortgage through application of § 1322 of the Bankruptcy Code.

IT IS FURTHER ORDERED that the Creditors' objections are sustained to the extent that they assert that the Debtor overstated her monthly mortgage expense on the means test form and hence was not devoting all of her monthly disposable income to the chapter 13 plan.

Accordingly, the Creditors' Objections to Confirmation are overruled in part and sustained in part.

SO ORDERED.

October 17, 2008
Rutland, Vermont




Colleen A. Brown
United States Bankruptcy Judge